

BK

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
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FILED
JUL - 6 2017
CLERK, U.S. DISTRICT COURT
By _____ Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ARTHUR CARSON,
Plaintiff,

v.

SOFIA HERNANDEZ, et al.,
Defendants.

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CIVIL NO. 3:17-CV-1493-L-BK

ANSWERS TO MAGISTRATE JUDGE'S QUESTIONNAIRE

The complaint appears to assert a claim under the Fair Housing Act, citing to 42 U.S.C. § 3601, which sets out the general policy requiring fair housing throughout the United States.

QUESTION NO. 1: Identify the specific statutory provision(s) of the Fair Housing Act (FHA) that you claim Defendants violated.

ANSWER:

The Discriminatory Effect AND Disparate Impact on African Americans in Obtaining Housing, 42 U.S.C. 3601; 24 CFR 100 "Discriminatory Conduct", OR IMPACT.

QUESTION NO. 2: Identify all facts on which you rely to raise a claim against the Defendants under the statutory provision(s) identified in answer to Question 1. Be specific.

ANSWER:

ON OR ABOUT MAY 28, 2016, ARTHUR CARSON, A 62 year old Senior, AND AFRICAN- AMERICAN, WAS DENIED A APARTMENT AT THE PRARIE CREEK VILLAGE APARTMENTS BY SOFIA HERNANDEZ, THE MANAGER, BECAUSE OF PAST CRIMINAL HISTORY. ON JUNE 1, 2016, A ADVERSE letter WAS SENT SPECIFYING "CRIMINAL AND CREDIT HISTORY, AND FALSE FELONIES USED.

SOFIA HERNANDEZ, AT NO TIME ALLOWED CARSON TO PRESENT MITIGATING FACTORS, I.E., "PRIOR FIVE YEARS RENTAL HISTORY, TIMELY PAYMENTS, THE PREVIOUS FELONY CONVICTIONS WERE FORTY, AND TWENTY-EIGHT YEARS OLD FOR BURGLARY, AND ATTEMPTED MURDER.

THE DEFENDANT'S ALSO USED AN INACCURATE HOMICIDE CONVICTION FROM SOMEONE WITH A SIMILAR NAME, WITH A DIFFERENT MIDDLE NAME WITH NUMEROUS ALIASES OF OTHER PERSONS.

THE USE OF PREVIOUS FELONIES WITHOUT REGARDS TO THEIR AGE, HAD AN ADVERSE DISCRIMINATOR EFFECT. WHERE AFRICAN- AMERICANS COMPRISE 36 PERCENT OF THE TOTAL POPULATION, AND INCARCERATED AT A RATE OF THAT NEARLY THREE TIMES THEIR PROPORTION OF THE GENERAL POPULATION.

QUESTION #2 - CONTINUES.

CARSON, AN AFRICAN-AMERICAN, IS PART OF THE DISPROPORTIONATE NUMBER OF THOSE CONVICTED, IMPRISONED, AND RELEASED FROM PRISON AND DENIED HOUSING, BASED ON THEIR CONVICTION.

THIS POLICY IMPEDES ANY SUCCESSFUL RE-ENTRY TO SOCIETY, AND EQUALLY DISPARATE TO AFRICAN-AMERICANS, WHO ARE CONVICTED IN TEXAS FAR MORE THAN ANY RACE.

(2-A)

QUESTION NO. 3: Identify all facts on which you rely to raise a claim against the defendants under 42 U.S.C. § 1985. Be specific.

ANSWER:

SOFA HERNANDEZ, VOA-PRAYIE CREEK VILLAGE HAVE ORCHESTRATED A PRACTICE, POLICY THAT IMPACTS AFRICAN AMERICANS MORE THAN ANY OTHERS.

QUESTION NO. 4: Identify all facts that show an agreement (conspiracy) existed among the Defendants to violate your rights.

ANSWER:

FAILURE TO ADHERE TO THEIR OWN SELECTION CRITERIA OF FOUR YEARS PRIOR RENTAL HISTORY, WHEN CARSON HAD FIVE. THE BLANKET BAN ON FELONY CONVICTIONS, WITHOUT ANY GUIDING CRITERIA OR ALLOWANCE OF MITIGATING EVIDENCE.

The complaint also appears to assert a claim under the Fair Credit Reporting Act, 15 U.S.C. 1681.

QUESTION NO. 5: Identify the specific statutory provision(s) of the Fair Credit reporting Act that you contend Defendants violated.

ANSWER:

USE OF INACCURATE OR FALSE FELONY CONVICTIONS.

QUESTION NO. 6: Identify all facts on which you rely to raise a claim against the defendants under the Fair Credit Reporting Act. Be specific.

ANSWER:

DISSEMINATING INACCURATE REPORTS OVER THE INTERNET TO ITS CONTRACTORS, AND OTHERS, REGARDING MY CREDIT OR BACKGROUND.

The Complaint appears to assert a claim under the “Texas Property Code, Section 92.3515.”

QUESTION NO. 7: Provide a summary of all facts that support a claim against the defendants under “Texas Property Code, Section 92.3515.” Be specific.

ANSWER:

*Failure To Provide ADVANCE WRITTEN NOTICE OF
Rental Selection CRITERIA.*

QUESTION NO. 8: For Defendant Sofia Hernandez, provide the following information:

- a) The specific causes of action or claims that you are asserting against this defendant;
- b) A brief summary of all facts that support each of your claims against this defendant. State the place and the date (month, day, and year) that each of those actions took place;
- c) The specific relief you are seeking from this defendant through this lawsuit; and
- d) Whether you have previously sued this defendant based on the same facts. If so, provide the name of the lawsuit, the case number, the court where it was filed, and the disposition.

Be specific. To state a claim against a defendant, you must allege specific facts to establish that the defendant was personally involved or that he/she authorized others to act or fail to act.

ANSWER:

- (a). Failure To Provide ADVANCE WRITTEN NOTICE OF THEIR RENTAL Selection Criteria; Failure To Reconsider APPLICATION WITHOUT FALSE FELONY OF HOMICIDE; use OF DISCRIMINATORY Screening Procedures.
- (b). APPLIED MAY 28, 2016, SOFIA HERNANDEZ, DENIED APPLICATION ON 5/31/2016.
- (c). DECLARATORY JUDGMENT AGAINST THE INDEFINITE use OF Prior Felony CONVICTIONS; COMPENSATORY DAMAGES.
- (d). Previously Filed AS, CARSON V. HERNANDEZ, #3:16CV-3192-G-BK. VOLUNTARILY DISMISSED 4/2017.

QUESTION NO. 5: For Defendant VOA/Prarie Creek Village Apartment provide the following information:

- a) The specific causes of action or claims that you are asserting against this defendant;
- b) A brief summary of all facts that support each of your claims against this defendant. State the place and the date (month, day, and year) that each of those actions took place;
- c) The specific relief you are seeking from this defendant through this lawsuit; and
- d) Whether you have previously sued this defendant based on the same facts. If so, provide the name of the lawsuit, the case number, the court where it was filed, and the disposition.

Be specific. To state a claim against a defendant, you must allege specific facts to establish that the defendant was personally involved or that it authorized others to act or fail to act.

ANSWER:

- (a). FOSTERING A PRACTICE, POLICY THAT DISCRIMINATORILY IMPACTS AFRICAN AMERICANS SEEKING HOUSING; FAILURE TO PROVIDE A MEANINGFUL APPEAL PROCESS FOR APPLICATION DENIALS.
- (b). FAILED TO PROPERLY SUPERVISE; FAILED TO ENSURE ACCURATE BACKGROUND DATA ARE USED.
- (c). DECLARATORY JUDGMENT PROHIBITING INDEFINITE USE OF PRIOR FELONY CONVICTIONS; COMPENSATORY DAMAGES.
- (d). CARSON V. HERNANDEZ, # 3:16 CV-3192; VOLUNTARILY DISMISSED 4/2017.

STATE OF ~~TEXAS~~ ^{ARKANSAS}
COUNTY OF PULASKI

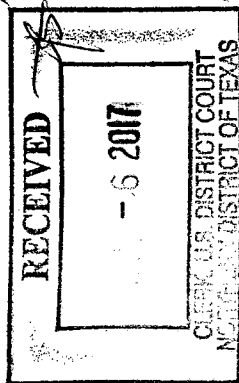
VERIFICATION

I understand that a false statement or answer to any interrogatory in this cause of action will subject me to penalties for perjury. I declare (or certify, verify or state) under penalty of perjury that the foregoing answers are true and correct. 28 U.S.C. § 1746.

SIGNED on this 30th day of June, 2017.

Arthur Chason
(Signature of Plaintiff)

A. Carlson
6200 Colonel Glenn Rd. #269
Little Rock, AR 72204



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
1100 Commerce St. Rm. # 1452
DALLAS, TX. 75247

